



93RD GENERAL ASSEMBLY

State of Illinois

2003 and 2004

Introduced 02/06/04, by Tom Cross

SYNOPSIS AS INTRODUCED:

810 ILCS 5/1-102

from Ch. 26, par. 1-102

Amends the Uniform Commercial Code. Makes a technical change to a Section concerning the purpose and rules of construction.

LRB093 14561 RXD 40052 b

1 AN ACT relating to commercial transactions.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Uniform Commercial Code is amended by
5 changing Section 1-102 as follows:

6 (810 ILCS 5/1-102) (from Ch. 26, par. 1-102)

7 Sec. 1-102. Purposes, rules of construction, variation by
8 agreement.

9 (1) This Act shall be liberally construed. This Act shall
10 be ~~and~~ applied to promote its underlying purposes and policies.

11 (2) Underlying purposes and policies of this Act are

12 (a) to simplify, clarify and modernize the law
13 governing commercial transactions;

14 (b) to permit the continued expansion of commercial
15 practices through custom, usage and agreement of the parties;

16 (c) to make uniform the law among the various
17 jurisdictions.

18 (3) The effect of provisions of this Act may be varied by
19 agreement, except as otherwise provided in this Act and except
20 that the obligations of good faith, diligence, reasonableness
21 and care prescribed by this Act may not be disclaimed by
22 agreement but the parties may by agreement determine the
23 standards by which the performance of such obligations is to be
24 measured if such standards are not manifestly unreasonable.

25 (4) The presence in certain provisions of this Act of the
26 words "unless otherwise agreed" or words of similar import does
27 not imply that the effect of other provisions may not be varied
28 by agreement under subsection (3).

29 (5) In this Act unless the context otherwise requires

30 (a) words in the singular number include the plural,
31 and in the plural include the singular;

32 (b) words of the masculine gender include the feminine

1 and the neuter, and when the sense so indicates words of the
2 neuter gender may refer to any gender.

3 (Source: Laws 1961, p. 2101.)